IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:

O. Such

Attorney Docket No.: MSFT117208

Application No.: 09/217,389

Group Art Unit: 2126

Filed:

December 21, 1998

Examiner: L.B. Zhen

Title:

RECYCLABLE LOCKING FOR MULTI-THREADED COMPUTING

ENVIRONMENTS

REQUEST FOR REFUND (IMPROPER CHARGE OF DEPOSIT ACCOUNT)

Seattle, Washington 98101 February 20, 2003

DIRECTOR – U.S. PATENT AND TRADEMARK OFFICE:

ATTENTION: Refund Section, Accounting Division, Office of Finance

Refund Request I.

This is a request for refund with respect to the charge to Deposit Account No. 03-1740, shown on the February 2003 statement for the above-identified patent application. A copy of the monthly statement, in which the error referred to occurs, accompanies this request.

Fee Charged for Which Refund Requested

An additional \$290 (fee code 1252) was charged February 13, 2003, for the request for II. extension of time.

Explanation of Why Contested Charge Is in Error III.

Applicant responded on Monday, November 25, 2002, to a final Office Action dated September 24, 2002. Because the two-month statutory date expired on Sunday, November 24, 2002, applicant may file a response on Monday, November 25, 2002. Subsequently, the U.S. Patent and Trademark Office issued an Advisory Action with a mailing date of December 31, 2002 well beyond the statutory three-month date of December 24, 2002. Thus, the extension period should be calculated from the mailing date of the Advisory Action (December 31, 2002). Accordingly, because the mailing date of the Supplemental Response was January 31, 2003, only

> LAW OFFICES OF CHRISTENSEN O'CONNOR JOHNSON KINDNESS' 1420 Fifth Avenue, Suite 2800 Seattle, Washington 98101 206.682.8100

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Deposit Account Statement

Requested Statement Month:

February 2003

Deposit Account Number:

031740

Name:

CHRISTENSEN O'CONNOR JOHNSON & KINDNESS

Attention:

Address:

2800 PACIFIC FIRST CENTRE

City:

SEATTLE WA

State:

Zip:

98101

DATE SEQ POSTING REF TXT	ATTORNEY DOCKET NBR	FEE CODE	AMT	BAL
02/03 29 09761339 02/03 170 78209607 02/03 183 10266078	VIGL116635 MITE119808	2501 7001 2202 7001	\$10.00 \$335.00 \$5.00 \$1,340.00	\$5,595.00 \$5,260.00 \$5,255.00 \$3,915.00

Deposit Account Statement

Page 2 of 2

02/10 386	76114513		7003	\$100.00	\$10,264.00
02/10 864	78212794		7001	\$670.00	\$9,594.00
02/11 49	961900		8503	\$15.00	\$9,579.00
02/12 43	962557		8007	\$20.00	\$9,559.00
02/12 53	962567		8007	\$20.00	\$9,539.00
02/12 90	962774		8507	\$30.00	\$9,509.00
02/12 146	962915	•	8507	\$30.00	\$9,479.00
02/12 669	78213769		7001	\$335.00	\$9,144.00
02/13 2	09217389	777.154US1	1252	\$290.00	\$8,854.00
02/13 122	76032631		7004	\$150.00	\$8,704.00
02/13 137	76032968		7004	\$150.00	\$8,554.00
02/14 22	964022	·	8507	\$15.00	\$8,539.00
02/14 78	78214541		7001	\$335.00	\$8,264.00
	START BALANCE	SUM OF CHARGES	SUM OF REPLENISH	END BALANCE	Y .
	\$5,605.00	\$7,516.00	\$10,115.00	\$8,204.00	1

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a one month extension of time is required. Payment for the one month extension was paid by our Check No. 145415 in the amount of \$110.

Manner of Refund IV.

1, 2

Please make refund by crediting Deposit Account No. 03-1740.

Respectfully submitted,

CHRISTENSEN O'CONNOR JOHNSON KINDNESSPLLC

D.C. Peter Chu Registration No. 41,676 Direct Dial No. 206.695.1636

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service in a sealed envelope as first class mail with postage thereon fully prepaid and addressed to Box 16, U.S. Patent and Trademark Office, P.O. Box 2327, Arlington, VA 22202, on the below date. andy A. Dorton

Date:

DPC:clm

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